

MHA has authorized ten central agencies to intercept, monitor and decrypt any communication and data on any computer through a notification.

Government reasons the rationale behind the notification with Article 19 (2) of the constitution and section 69 of the IT act which upholds the national security, sovereignty above other things.

However this blanket surveillance enabling step is facing wide opposition as the surveillance by state is ~~like~~ synonymous to giving disproportionate power to the state. This is because the current surveillance regime has 3 features

- 1) Bureaucratic domination
- 2) Vagueness in wording
- 3) Opaqueness in process

1) Bureaucratic domination : The authority is vested purely with the rank of secretary level and there is no participation of Parliament and Judiciary.

2) Vagueness in wording :- Section 69 of the IT Act and Article 19(2) in the Indian constitution has terms which are subjected to Broad interpretation such as national security, sovereignty etc which can be interpreted differently by the authorities.

3) Opaque :- The process behind such surveillance approval is behind closed-door so rubber-stamping blindly may occur.

Therefore it is necessary for the government to address the 'when, what and how' of the surveillance along with

Participation of all 3 pillars of democracy and usage of strong valid and concrete terms in determining the target for Surveillance.